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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,

Plaintiff,

vs.

BLENDJET INC., a Delaware corporation,
MAVORCO HOLDINGS, LLC, a
Delaware limited liability company,
MAVORCO IP, LLC, a Delaware limited
liability company, and **MAVORCO
OPERATIONS, LLC**, a Delaware limited
liability company,

Defendant.

**BLENDTEC’S OPPOSITION TO
DEFENDANT’S MOTION FOR
EXTENSION OF TIME TO FILE
MEMORANDUM OPPOSING
PLAINTIFF’S MOTION FOR
PRELIMINARY INJUNCTION**

Civil No. 2:25-cv-00096-DBP
Judge Tena Campbell
Magistrate Judge Dustin B. Pead

Plaintiff Blendtec Inc. (“Blendtec”) hereby responds to the Motion for Extension of Time to File Memorandum Opposing Plaintiff’s Motion for Preliminary Injunction filed by Defendants Mavorco Holdings, LLC; Mavorco IP, LLC; and Mavorco Operations, LLC (collectively Mavorco”).

Mavorco requests an extension of its deadline to oppose Blendtec’s preliminary injunction

motion based on the history of the litigation against Blendjet and allegations of delay. *See* Motion at 2-3. However, Mavorco's entrance into this dispute has elevated the risk of ongoing irreparable harm and the need for urgency. At the moment Blendjet's infringement, and the irreparable harm it has caused and is causing Blendtec,¹ was set to end due to Blendjet's massive product recall and insolvency, Mavorco was created and the Blendjet assets were transferred to Mavorco to continue the harmful infringement of Blendtec's trademarks. *See* Dkt. 25 at 5-7. Worse, Mavorco undertook the continuation of the Blendjet business with full knowledge that doing so would continue irreparable reputational harm to Blendjet and infringe Blendjet's trademark rights. *Id.*; *see also id.* at 12. And Mavorco did not simply take a "business as usual" approach to this intentionally infringing endeavor. Instead, Mavorco dramatically increased the advertising scope and exposure of the infringing Blendjet marks by posting the Blendjet mark all over Times Square and pursuing a social media blitz proclaiming "this is just the beginning." *Id.* at 5-6; *see also* Dkt. 25 at 23-24.

Notwithstanding the foregoing, Blendtec has been cooperative and stipulated to extend the deadline to respond to the Complaint in this action on March 10, 2025 to allow the parties to discuss the possibility of an amicable resolution. Dkt. 21. In doing so, Blendtec's counsel informed Mavorco's counsel that a preliminary injunction motion was forthcoming and conditioned its stipulation on Mavorco agreeing not to use the extended deadline as a reason to claim delay in opposing the preliminary injunction motion. No resolution was reached. But

¹ Blendtec has been dealing with a flood of confused and dissatisfied customers mistakenly believing the faulty Blendjet portable blenders were a product provided by Blendtec, thus tarnishing Blendtec's reputation and goodwill. *See* Dkt. 25 at 1-2.

through that process, Mavorco was put on notice of the preliminary injunction motion weeks before it was filed. Having the Complaint, and having a close relationship with Blendjet who has been involved in the litigation with Blendtec since its inception, Mavorco had ample time to be familiar with the issues and the evidence long before ever seeing the preliminary injunction motion that formally laid out the very same grounds for infringement.

For Blendtec, whose reputation is being tarnished daily by the public's mistaken association of Blendtec with Blendjet's poor quality blenders, time is of the essence and the nature of the dispute has changed significantly by a well-healed savior (Mavorco) scooping up Blendjet's infringing assets and expanding the advertising campaigns that promote them. On these grounds, including Mavorco's intentional conduct with full knowledge of the details of the dispute well before the preliminary injunction motion was filed, Blendtec opposes Blendjet's extension.

In in the event the Court grants Blendjet the full two-week extension requested, Blendtec respectfully asks the Court to grant Blendtec a one-week extension of its reply deadline in the event Mavorco's filings warrant more time to respond.

DATED this 9th day of April, 2025.

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